

THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, MET IN REGULAR SESSION ON AUGUST 18, 2010, WITH THE FOLLOWING MEMBERS PRESENT: ROBERT L. PROUD, PRESIDENT, EDWIN H. HUMPHREY, VICE PRESIDENT, AND R. SCOTT CROSWELL III, MEMBER. THE MEETING WAS CALLED TO ORDER SHORTLY AFTER 2:00 P.M. BY THE PRESIDENT OF THE BOARD WITH THE PLEDGE OF ALLEGIANCE TO OUR FLAG.

IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 139-10/PAYMENT OF BILLS...ADOPTED

Moved by Mr. Humphrey, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation that the Board of County Commissioners adopt **Resolution Number 139-10** resolving to approve payment to vendors **in the total amount of \$1,342,809.91** as set forth in the General Ledger Distribution Report(s), Vendor Invoice List Report(s), Items paid by Fund and CheckDate Range Report and/or Procurement Card Transaction Report presented by the County Auditor **08/16/2010**, and further authorizing the County Auditor to issue warrants for same pursuant to Section 319.16 of the Ohio Revised Code.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Humphrey, Aye; Mr. Croswell, Yes; Mr. Proud, Yea.

LET THE RECORD SHOW: A MOTION BY MR. HUMPHREY, SECONDED BY MR. CROSWELL, TO GO INTO EXECUTIVE SESSION AT 2:03 P.M. PURSUANT TO SECTION 121.22(G)(3) OF THE OHIO REVISED CODE REGARDING PENDING LITIGATION, CARRIED WITH ALL MEMBERS VOTING AFFIRMATIVELY THEREON.

LET THE RECORD SHOW: THE EXECUTIVE SESSION CONCLUDED AND REGULAR SESSION RESUMED AT 3:05 P.M. WITH NO ACTION TAKEN.

IN RE: BOARD OF COUNTY COMMISSIONERS...PUBLIC HEARING CONTINUED RELATIVE TO THE PROPOSED ADOPTION OF THE ACCESS MANAGEMENT REGULATIONS FOR THE UNINCORPORATED AREAS OF THE COUNTY OF CLERMONT, OHIO...09-0313-001

LET THE RECORD SHOW: THAT THE CONTINUATION OF THE SECOND OF TWO PUBLIC HEARINGS WAS HELD THIS DATE SHORTLY AFTER 3:00 P.M. IN THE OFFICE OF THE BOARD OF COUNTY COMMISSIONERS, 101 EAST MAIN STREET, BATAVIA, OHIO 45103-2960, FOR THE PURPOSE OF RECEIVING PUBLIC COMMENTS IN FAVOR OF OR IN OPPOSITION TO THE PROPOSED ADOPTION OF THE ACCESS MANAGEMENT REGULATIONS FOR THE UNINCORPORATED AREAS OF THE COUNTY OF CLERMONT, OHIO, PURSUANT TO AND IN COMPLIANCE WITH SECTION 5552.06 OF THE OHIO REVISED CODE.

THIS PUBLIC HEARING WAS RECORDED AND VIDEOTAPED AND EITHER/OR ARE AVAILABLE FOR PUBLIC INSPECTION MONDAY THROUGH FRIDAY BETWEEN THE HOURS OF 8:00 A.M. TO 4:30 P.M.

JEREMY EVANS, TRAFFIC ENGINEER OF THE CLERMONT COUNTY ENGINEER'S OFFICE, ADDRESSED THE BOARD OF COUNTY COMMISSIONERS INDICATING THAT THE PREVIOUS PROPOSED REVISIONS TO THE PROPOSED ACCESS MANAGEMENT REGULATIONS WERE THE CONSENSUS OF THE ADVISORY

COMMITTEE. MR. EVANS HIGHLIGHTED SEVERAL NEW CHANGES PROPOSED BY THE ADVISORY COMMITTEE. DISCUSSION WAS HELD REGARDING THE APPEALS PROCESS RELATIVE TO THE ACCESS MANAGEMENT APPELLATE BOARD. COMMISSIONER HUMPHREY STATED THAT HE DID NOT WANT TO CREATE A NEW BOARD BUT WOULD RATHER HAVE THE PLANNING COMMISSION SERVE IN THIS CAPACITY TO HANDLE ANY SUCH APPEALS. DAVID L. SPINNEY, COUNTY ADMINISTRATOR, INDICATED THAT THERE WERE ISSUES RAISED AT THE ADVISORY COMMITTEE MEETING WITH HAVING THE PLANNING COMMISSION SERVE AS THE APPELLATE BOARD SINCE THEY ONLY MEET ONCE A MONTH AND THAT IT WOULD BE BETTER SERVED BY THE BOARD OF COUNTY COMMISSIONERS SINCE THEY MEET EVERY WEEK. RAY SEBASTIAN, CHIEF BUILDING OFFICIAL, BUILDING INSPECTION DEPARTMENT, CONFIRMED THAT HE HAD SPOKEN WITH THE CHAIR OF THE PLANNING COMMISSION AND THEIR ONLY CONCERN WAS THAT THEY MEET ONLY ONCE A MONTH. COMMISSIONER PROUD STATED THAT HE WOULD LIKE TO SEE SOMEONE OTHER THAN THE BOARD OF COUNTY COMMISSIONERS SERVE AS THE APPELLATE BOARD, PREFERABLY A BOARD WITH MORE EXPERTISE IN THIS AREA.

CORY WRIGHT, UNION TOWNSHIP, ASSISTANT ADMINISTRATOR, ADDRESSED THE BOARD OF COUNTY COMMISSIONERS STATING THAT THE REVISIONS HAD ADDRESSED SOME OF THEIR CONCERNS BUT UNION TOWNSHIP'S POSITION REMAINS THE SAME, IN OPPOSITION TO THE ADOPTION OF THE PROPOSED ACCESS MANAGEMENT REGULATIONS.

ANGELO SANTORO, WHO RESIDES AND WORKS IN CLERMONT COUNTY, EXPRESSED HIS APPRECIATION TO THE BOARD OF COUNTY COMMISSIONERS, MR. EVANS AND THE ADVISORY COMMITTEE FOR THE OPPORTUNITY TO WORK WITH THEM ON THE PROPOSED ACCESS MANAGEMENT REGULATIONS FOR THE UNINCORPORATED AREAS OF CLERMONT COUNTY. MR. SANTORO ADDRESSED THE ISSUE OF THE ACCESS MANAGEMENT APPELLATE BOARD AS TO WHO SHOULD SERVE ON THIS BOARD. HE INDICATED THAT THIS BOARD WOULD BETTER BE SERVED BY THE SAME GROUP OF FIVE (5) INDIVIDUALS THAT COMPOSE THE AIRPORT ZONING BOARD OF APPEALS, FLOOD DAMAGE PREVENTION REGULATIONS VARIANCE BOARD AND THE WATER MANAGEMENT AND SEDIMENT CONTROL REGULATIONS VARIANCE APPEALS BOARD FOR CLERMONT COUNTY. THESE BOARDS ARE COMPRISED OF INDIVIDUALS WITH EXPERTISE IN THE FIELDS OF ARCHITECTURE, ENGINEERING, BUILDING, SURVEYING AND LEGAL MATTERS. IN CLOSING, MR. SANTORO COMMENDED THE BOARD OF COUNTY COMMISSIONERS FOR ALLOWING THEIR INPUT IN THE PROPOSED ADOPTION OF THE ACCESS MANAGEMENT REGULATIONS.

QUESTIONS WERE ALSO RAISED ABOUT THE TYPE OF ACTIVITY THAT WOULD REQUIRE REVIEW UNDER THESE REGULATIONS PARTICULARLY AS IT RELATES TO THE DEFINITION OF REDEVELOPMENT. MR. SPINNEY INDICATED HE WOULD PROVIDE CLARIFYING LANGUAGE FOR THE BOARD TO CONSIDER.

MEMBERS OF THE BOARD INDICATED THEY WOULD BE WILLING TO SERVE AS THE APPELLATE BOARD AS ORIGINALLY PROPOSED.

ADDITIONAL MINOR MODIFICATIONS TO THE DOCUMENT WILL BE REQUIRED AND MR. SPINNEY INDICATED THEY WOULD, ONCE AGAIN, LOOK AT THE DOCUMENT TO CLARIFY SOME OF THE BROADER TERMINOLOGY USED THROUGHOUT THE DOCUMENT. HE INDICATED THAT THE CHANGES SHOULD BE COMPLETED IN EARLY SEPTEMBER.

HAVING NO FURTHER COMMENT TO COME BEFORE THE BOARD OF COUNTY COMMISSIONERS FOR CONSIDERATION THEREOF, THE PUBLIC HEARING WAS CONCLUDED AT 3:44 P.M. LOCAL TIME.

IN RE: DEPARTMENT OF JOB AND FAMILY SERVICES...MEMORANDUM OF UNDERSTANDING WITH CLERMONT COUNTY FAMILY AND CHILDREN FIRST RELATIVE TO THE FAMILY AND CHILDREN FIRST LOCAL CONTRIBUTION POLICY...10-0806-008...EXECUTED

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Michael R. Pride, Director, Department of Job and Family Services, with the concurrence of David L. Spinney, County Administrator, to execute a Memorandum of Understanding by and between the Department of Job and Family Services and the Clermont County Family and Children First Council, whose administrative agent is the Clermont County Mental Health and Recovery Board, formerly located at 1088 Wasserman Way, Suite B, Batavia, Ohio 45103, now located at 2337 Clermont Center Drive, Batavia, Ohio 45103, in which Clermont County Family and Children First Council is a partnership of local government agencies and community organizations committed to improving the well-being of children and their families, to allow the contribution of \$87,558.00 from the Department of Job and Family Services to the Clermont County Family and Children First Council, as outlined in the Family and Children First Local Contribution Policy, of which \$25,000.00 of the Department of Job and Family Services' contribution will be dedicated to support a position which provides various contract monitoring activities, including, but not necessary limited to, site visits to providers, site visit reports detailing the facility, interviewing children in placement, reports on each child interviewed, and investigating issues reported regarding providers, effective 07/01/10 through 06/30/11, pursuant to and in compliance with the terms and conditions specified therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Yea.

IN RE: OFFICE OF TECHNOLOGY, COMMUNICATIONS AND SECURITY/FACILITIES MANAGEMENT DEPARTMENT...CONTRACT FOR SERVICES WITH E. R. PLUMBING, INC. FOR THE REBUILDING OF BERMS ON THE RETENTION POND AT THE COMMUNICATIONS CENTER...10-0803-002...EXECUTED

Moved by Mr. Humphrey, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Wade Grabowski, Director, Facilities Management Department, with the concurrence of Stephen H. Rabolt, Director, Office of Technology, Communications and Security, to execute a Contract for Services by and between the Board of County Commissioners, Clermont County, Ohio, and E. R. Plumbing, Inc., P.O. Box 67, Batavia, Ohio 45103 for the rebuilding of berms on the retention pond at the Communications Center located at 2279 Clermont Center Drive, Batavia, Ohio, in accordance with the Scope of Services as identified in Exhibit A, attached thereto and made a part thereof, in an amount not to exceed \$1,600.00, with said services to be completed within 120 consecutive calendar days upon company's receipt of signed contract and written Notice to Proceed from the Facilities Management Department, pursuant to and in compliance with the terms and conditions set forth therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Humphrey, Aye; Mr. Croswell, Yes; Mr. Proud, Yea.

**IN RE: OFFICE OF TECHNOLOGY, COMMUNICATIONS AND SECURITY/
FACILITIES MANAGEMENT DEPARTMENT...CONTRACT FOR
SERVICES WITH DeBRA-KUEMPEL FOR EMERGENCY
MAINTENANCE AND REPAIR OF HVAC SYSTEMS IN COUNTY
BUILDINGS...10-0804-003...EXECUTED**

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Wade Grabowski, Director, Facilities Management Department, with the concurrence of Stephen H. Rabolt, Director, Office of Technology, Communications and Security, to execute a Contract for Services by and between the Board of County Commissioners, Clermont County, Ohio, and DeBra-Kuempel, 3976 Southern Avenue, Cincinnati, Ohio 45227 for Emergency Maintenance and Repair of HVAC Systems in County Buildings, in accordance with the Scope of Services as identified in Exhibit A, attached thereto and made a part thereof, in an amount not to exceed \$750.00, with said services to be completed within 365 consecutive calendar days upon company's receipt of signed contract and written Notice to Proceed from the Facilities Management Department, pursuant to and in compliance with the terms and conditions set forth therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Yea.

**IN RE: OFFICE OF TECHNOLOGY, COMMUNICATIONS AND SECURITY/
FACILITIES MANAGEMENT DEPARTMENT...EXTENSION OF THE
CONTRACT WITH RUMPKE OF OHIO, INC. FOR SOLID WASTE
COLLECTION/RECYCLING/DISPOSAL SERVICES FOR VARIOUS
COUNTY FACILITIES...09-0724-004...APPROVED**

Moved by Mr. Humphrey, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Wade Grabowski, Director, Facilities Management Department, with the concurrence of Stephen H. Rabolt, Director, Office of Technology, Communications and Security, to approve an extension of the Contract by and between the County of Clermont, Ohio, and Rumpke of Ohio, Inc., 10795 Hughes Road, Cincinnati, Ohio 45251, previously ratified by the Board of County Commissioners on 09/30/09, for the provision of Solid Waste Collection/Recycling/Disposal Services for various County facilities, for an additional one (1) year term through 09/30/11, with all other terms and conditions of the original Contract to remain in full force and effect.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Humphrey, Aye; Mr. Croswell, Yes; Mr. Proud, Yea.

**IN RE: OFFICE OF TECHNOLOGY, COMMUNICATIONS AND SECURITY/
EMERGENCY MANAGEMENT AGENCY...GRANT APPLICATION FOR
FUNDING THROUGH THE OHIO EMERGENCY MANAGEMENT
AGENCY FOR THE FISCAL YEAR 2010 EMERGENCY MANAGEMENT
PERFORMANCE GRANT (EMPG) PROGRAM AND AUTHORIZATION
TO EXECUTE THE GRANT AGREEMENT RELATIVE THERETO...10-
0803-001...APPROVED**

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Stephen H. Rabolt, Director, Office of Technology, Communications and Security, with the concurrence of David L. Spinney, County Administrator, to approve the execution and submittal of a Grant Application to the Ohio Emergency Management Agency (OEMA), a division of the Ohio Department of Public Safety, 2855 West Dublin-Granville Road, Columbus, Ohio 43235-2206 for the Fiscal Year 2010 Emergency Management Performance Grant (EMPG) Program from the U.S. Department of Homeland Security, Office for Domestic Preparedness in the amount of \$86,900.00 with the required local match of \$86,900.00 to be provided from the Clermont County Emergency Management Fund, for a total program budget amount of \$173,800.00 for the operation of the Clermont County Emergency Management Agency and to authorize Elizabeth Nevel, Director, Clermont County Emergency Management Agency, to execute the Grant Agreement and to administer the Fiscal Year 2011 EMPG Program relative thereto, effective for the performance period of 10/01/09 through 06/30/11, pursuant to and in compliance with the terms and conditions set forth therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Yea.

**IN RE: DEPARTMENT OF COMMUNITY PLANNING AND DEVELOPMENT...
REQUEST TO ADVERTISE FOR BIDS FOR PROJECT NUMBER 2009-01
RELATIVE TO THE CITY OF MILFORD CIVIL DEFENSE SIREN PROJECT
IN CONCERT WITH THE CLERMONT COUNTY COMMUNITY DEVELOPMENT
BLOCK GRANT (CDBG) FORMULA PROGRAM FOR FISCAL YEAR 2009...10-0804-002...APPROVED**

Moved by Mr. Humphrey, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Raymond Sebastian, Chief Building Official, Building Inspection Department, with the concurrence of Scot Lahrmer, Assistant County Administrator, to approve the request to advertise for bids for Project Number 2009-01 relative to the City of Milford Civil Defense Siren Project in concert with the Clermont County Community Development Block Grant (CDBG) Formula Program for Fiscal Year 2009, pursuant to the plans and specifications therefore, and to authorize the Clerk of the Board to place a Legal Notice in a newspaper of general circulation on **08/26/10**, with bids to be received until **2:00 P.M. Local Time on Thursday, 09/09/10** in the Office of the Board of County Commissioners, 101 East Main Street, Batavia, Ohio 45103-2960, where they will be publicly opened and read aloud shortly thereafter. This notice is also posted on Clermont County's internet site.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Humphrey, Aye; Mr. Croswell, Yes; Mr. Proud, Yea.

**IN RE: BUILDING INSPECTION DEPARTMENT...ADDENDUM TO
SOFTWARE LICENSE AGREEMENT AND SOFTWARE SUPPORT AGREEMENT
WITH HANSEN INFORMATION TECHNOLOGIES RELATIVE TO THE HANSEN
PERMITTING AND INSPECTION PROGRAM FOR SAME...09-0826-001...EXECUTED**

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Raymond Sebastian, Chief Building Official, Building Inspection Department, with the concurrence of Scot Lahrmer, Assistant County Administrator, to execute an Addendum to the Software License Agreement and Software Support Agreement by and between the County of Clermont, Ohio, and Hansen Information Technologies, an INFOR Company, 13560 Morris Road, Suite 4100, Alpharetta, Georgia 30004 for the provision of

software support services relative to the Hansen Permitting and Inspection Program utilized by various departments in the County, in the amount of \$18,992.56, effective 08/27/10 through 08/26/11, pursuant to and in compliance with the terms and conditions set forth therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Yea.

IN RE: OFFICE OF ECONOMIC DEVELOPMENT...PROFESSIONAL SERVICES AGREEMENT WITH GUELPH GROUP, LLC FOR GRAPHIC DESIGN SERVICES FOR THE BIENNIAL UPDATE OF A MARKETING BROCHURE FOR SAME...10-0806-003...EXECUTED

Moved by Mr. Humphrey, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Andrew T. Kuchta, Director, Office of Economic Development, with the concurrence of Scot Lahrmer, Assistant County Administrator, to execute a Professional Services Agreement by and between the County of Clermont, Ohio, and Guelph Group, LLC, 8186 Wooster Pike, Suite D, Cincinnati, Ohio 45227, for graphic design services for the biennial update of a marketing brochure as outlined in Exhibit A, attached thereto and made a part thereof, for a total amount of \$900.00, with said services to be completed within 60 consecutive calendar days upon issuance of a written Notice to Proceed from the Office of Economic Development, pursuant to the terms and conditions set forth therein and in compliance with Section 307.07 of the Ohio Revised Code, which with the approval of the Board and in consideration of the mutual covenants and conditions contained therein, authorizes the Board to develop and promote plans and programs designed to assure that county resources are efficiently used, economic growth is properly balanced, and that county economic development is coordinated with that of other local governments.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Humphrey, Aye; Mr. Croswell, Yes; Mr. Proud, Yea.

IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT...REQUEST TO ADVERTISE FOR BIDS FOR THE FURNISHING AND DELIVERY OF GENERATORS FOR SAME...10-0806-004...APPROVED

Moved by Mr. Humphrey, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Stephen L. Knipp, WSD Assistant Director of Operations, with the concurrence of Thomas C. Yeager, Director of Utilities, Clermont County Water Resources Department, to approve the request to advertise for bids for the Furnishing and Delivery of Generators for the Clermont County Water Resources Department, pursuant to the specifications therefore and to authorize the Clerk of the Board to place Legal Notice in a newspaper of general circulation on **08/26/2010**, scheduling a non-mandatory Pre-Bid Meeting on Tuesday, 09/07/2010 at 10:00 A.M., with bids to be received therefore until **2:00 P.M. Local Time on Thursday, 09/09/2010**, in the Office of the Board of County Commissioners, 101 East Main Street, Batavia, Ohio 45103-2960, where they will be publicly opened and read aloud shortly thereafter. This notice is also posted on Clermont County's internet site.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Humphrey, Aye; Mr. Croswell, Yes; Mr. Proud, Yea.

**IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT/
DIVISION OF STORM WATER MANAGEMENT...RESOLUTION
NUMBER 140-10/RESOLUTION AUTHORIZING THE APPROVAL OF A
REVISED CLERMONT COUNTY STORM WATER MANAGEMENT
PLAN AND AUTHORIZING THE FILING OF SAID REVISED PLAN
WITH THE OHIO ENVIRONMENTAL PROTECTION AGENCY...03-
0225-010...ADOPTED**

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of John McManus, Program Manager, Clermont County Water Resources Department, Division of Storm Water Management, with the concurrence of Thomas C. Yeager, Director of Utilities, Clermont County Water Resources Department, to adopt **Resolution Number 140-10** resolving to authorize the approval of a *revised* Clermont County Storm Water Management Plan dated August 2009, which repeals the original Storm Water Management Plan dated March 7, 2003 in its entirety, previously ratified by the Board of County Commissioners on 03/06/03, and further, to authorize the filing of the said *revised* Clermont County Storm Water Management Plan with the Ohio Environmental Protection Agency.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Yea.

**IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT/
DIVISION OF STORM WATER MANAGEMENT...RESOLUTION
NUMBER 141-10/RESOLUTION AMENDING THE RULES AND
REGULATIONS OF THE CLERMONT COUNTY WATER RESOURCES
DEPARTMENT TO PROVIDE FOR THE CONTRIBUTION OF FUNDS
FOR THE SEPARATION OF FOUNDATION DRAINS FROM THE
SANITARY SEWER SYSTEM...10-0806-007...TABLED**

Recommendation of John McManus, Program Manager, Clermont County Water Resources Department, Division of Storm Water Management, with the concurrence of Thomas C. Yeager, Director of Utilities, Clermont County Water Resources Department, to adopt **Resolution Number 141-10** resolving to amend the Rules and Regulations of the Clermont County Water Resources Department to provide for the contribution of Water Resources Department funds for the separation of foundation drains from the sanitary sewer system as shown on Exhibit 1, attached thereto and made a part thereof, in homes built prior to 1972, in an amount not to exceed \$3,500.00 per property, effective 10/01/10.

**IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT...AWARD
OF BID FOR PROJECT NUMBER 6402-60064 (FKA 651-0610)
RELATIVE TO THE WARDS CORNER REGIONAL WASTEWATER
TREATMENT PLANT LANDSCAPING PROJECT LOCATED WITHIN
MIAMI TOWNSHIP AND EXECUTION OF CONTRACT RELATIVE
THERE TO...10-0524-001...RATIFIED**

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Lyle G. Bloom, P.E., Sanitary Engineer, with the concurrence of Thomas C. Yeager, Director of Utilities, Clermont County Water Resources Department, to award the bid for Project Number 6402-60064 (fka 651-0610) relative to the Wards Corner Regional Wastewater Treatment Plant Landscaping Project located in Miami Township, pursuant to the plans and specifications therefore, to Jeffrey Allen Corporation, 3662 Poole Road, Cincinnati, Ohio 45251, for the lowest and best bid received therefore on 07/01/10, at the item prices as

outlined therein, for a total amount not to exceed \$102,259.10 and to execute the Contract relative thereto, pursuant to and in compliance with the terms and conditions set forth therein and the award of bid therefore.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Yea.

**IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT...
CONTRACT FOR PROFESSIONAL SERVICES WITH HAZEN AND
SAWYER, P.C. FOR PROJECT NUMBER 6401-60085 RELATIVE TO
THE PUB WATER TREATMENT PLANT RENOVATION PROJECT
AND PROJECT NUMBER 6401-60086 RELATIVE TO THE PUB WELL
FIELD IMPROVEMENTS PROJECT LOCATED WITHIN PIERCE
TOWNSHIP...10-0809-003...EXECUTED**

Moved by Mr. Humphrey, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Matthew S. Smith, P.E., P.S., Project Manager, with the concurrence of Lyle G. Bloom, P.E., Sanitary Engineer, Clermont County Water Resources Department, to execute a Contract for Professional Services by and between the County of Clermont, Ohio, and Hazen and Sawyer, P.C., 11311 Cornell Park Drive, Suite 135, Cincinnati, Ohio 45242, for Project Number 6401-60085 relative to the PUB Water Treatment Plant Renovation Project and Project Number 6401-60086 relative to the PUB Well Field Improvements Project located within Pierce Township, for a total amount not to exceed \$183,240.00, with said services to be completed within 287 consecutive calendar days upon issuance of a written Notice to Proceed from the Clermont County Water Resources Department, exclusive of County review time, pursuant to and in compliance with the terms and conditions set forth therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Humphrey, Aye; Mr. Croswell, Yes; Mr. Proud, Yea.

**IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT...
RESOLUTION NUMBER 142-10/RESOLUTION DETERMINING TO
PROCEED WITH THE CONSTRUCTION, OPERATION AND
MAINTENANCE OF PROJECT NUMBER 6401-60010 (FKA 621-0050)
RELATIVE TO THE PEGGY DRIVE WATER PETITION PROJECT
LOCATED WITHIN GOSHEN TOWNSHIP...10-0809-002...ADOPTED**

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Chris Rowland, P.E., Project Manager, with the concurrence of Lyle G. Bloom, P.E., Sanitary Engineer, Clermont County Water Resources Department, to adopt **Resolution Number 142-10** determining to proceed with the construction, operation and maintenance of the water petition project known as the Peggy Drive Water Petition Project located within Goshen Township, as set forth in Exhibit "A", attached thereto and made a part thereof, and designated as Project Number 6401-60010 (fka 621-0050), and in conformance with the detailed plans, specifications, estimates of cost and financing and tentative assessment roll as herein ratified and confirmed, all of which shall be paid from special assessment of benefited properties as identified in Exhibit "B", attached thereto and made a part thereof, with a portion of the project costs paid by the County Waterworks System Capital Improvement Fund, in full compliance with Chapter 6103 of the Ohio Revised Code.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Yea.

**IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT...
GRANTS OF WATER EASEMENTS WITH RIGHTS OF RE-ENTRY FOR
REPAIR AND REPLACEMENT HERETOFORE GRANTED AND
CONVEYED TO THE COUNTY OF CLERMONT, OHIO, FOR PROJECT
NUMBER 6401-60078 (FKA 621-0051) RELATIVE TO THE DAMERON
LANE WATER PETITION PROJECT LOCATED IN UNION
TOWNSHIP...10-0809-004...ACCEPTED**

Moved by Mr. Humphrey, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Jeff Goetz, Project Manager, with the concurrence of Lyle G. Bloom, P.E., Sanitary Engineer, Clermont County Water Resources Department, to accept the following Grants of Water Easements with Rights of Re-Entry for Repair and Replacement heretofore granted and conveyed to the County of Clermont, Ohio, for utility purposes of constructing, operating, maintaining, repairing, replacing, removing or reinstalling water utility lines and all incidental appurtenances required for the transportation of water in, on, under, and across the properties of the Grantors for Project Number 6401-60078 (fka 621-0051) relative to the Dameron Lane Water Petition Project located in Union Township, and to authorize the County Auditor to remit payment to the Grantors in the amounts as outlined below and as indicated on the Settlement Sheets attached thereto, as compensation for the Permanent Easements and Rights-of-Way granted thereby and to remit payment in the amount of \$64.00 payable to J. Robert True, Clermont County Treasurer, for the recording fees required relative thereto:

Grantor	Parcel Number	Compensation
Kirk Schreiber and Patricia Schreiber 4552 Dameron Lane Cincinnati, Ohio 45244	41-32-13C-031.	Perm \$ 475.73
William J. Maehlman, aka William J. Machlman 4518 Dameron Lane Cincinnati, Ohio 45244	41-32-13C-158.	Perm \$1,500.00

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Humphrey, Aye; Mr. Croswell, Yes; Mr. Proud, Yea.

**IN RE: COUNTY ENGINEER...AWARD OF BID FOR PROJECT NUMBER GO-
06-09 RELATIVE TO THE GAYNOR ROAD LANDSLIDE
STABILIZATION PROJECT LOCATED IN GOSHEN TOWNSHIP AND
EXECUTION OF CONTRACT RELATIVE THERETO...10-0520-
002...RATIFIED**

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to award the bid for Project Number GO-06-09 relative to the Gaynor Road Landslide Stabilization Project located in Goshen Township, pursuant to the plans and specifications therefore, to Smith Construction, P.O. Box 223, Fayetteville, Ohio 45118 for the lowest and best bid received therefore on 06/24/10, in the mathematically corrected amount of \$243,231.50, and to execute the Contract relative thereto, pursuant to and in compliance with the terms and conditions set forth therein and the award of bid therefore.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Yea.

IN RE: COUNTY ENGINEER...RESOLUTION NUMBER 143-10/RESOLUTION FINDING THAT SHEPHARD WOODS DEVELOPMENT COMPANY, LLC FAILED TO COMPLETE THE TERMS OF THE PERFORMANCE AND MAINTENANCE BOND DATED THE 15TH DAY OF MARCH 2006, SECURED BY AN INSURANCE BOND NUMBER 5020256 OF BOND SAFEGUARD INSURANCE COMPANY, WESTMONT, ILLINOIS AND AUTHORIZING RECOVERY AGAINST SAID BOND FOR COMPLETION OF THE PERFORMANCE ASPECTS OF THE BOND ...06-0309-003...ADOPTED

Moved by Mr. Humphrey, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to adopt **Resolution Number 143-10** resolving (1) to certify that Shephard Woods Development Company, LLC has defaulted on the terms and conditions set forth in the Combined Performance and Maintenance Bond secured by Bond Safeguard Insurance Company, LLC, 601 Oakmont Lane, Suite 400, Westmont, Illinois 60559 for Bond Number 5020256 in the amount of \$30,000.00 as Surety for Shephard Woods Subdivision located in Union Township, ratified by the Board of County Commissioners on 03/15/06, by failing to perform the completion, construction, repair and maintenance of Shephard Woods Court as shown on Record Plat Number 629-2409 therefore and that the Board of County Commissioners is obligated to complete the performance thereof and (2) to determine that the amount necessary to complete and perform such construction and/or maintenance activities to cure the default by Shephard Woods Development Company, LLC is in the amount of \$30,000.00 and that the County Engineer is hereby authorized and directed to present to Shephard Woods Development Company, LLC and Bond Safeguard Insurance Company a certified copy of this resolution together with a demand for payment in the amount of \$30,000.00 pursuant to the terms and conditions of Bond Number 5020256 and (3) upon review and approval of the Office of the Prosecuting Attorney of Clermont County, Ohio, the County Engineer is hereby authorized to execute all necessary documents and/or bank drafts on behalf of Clermont County and/or the Clermont County Board of Commissioners to complete recovery and deposit of said sum to the benefit of the County for the construction and/or maintenance activities required for the completion thereof.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Humphrey, Aye; Mr. Croswell, Yes; Mr. Proud, Yea.

IN RE: COUNTY ENGINEER...RESOLUTION NUMBER 144-10/RESOLUTION FINDING THAT SHEPHARD WOODS DEVELOPMENT COMPANY, LLC FAILED TO COMPLETE THE TERMS OF THE THREE YEAR PERFORMANCE BOND FOR SIDEWALKS DATED THE 15TH DAY OF MARCH 2006, SECURED BY AN INSURANCE BOND NUMBER 5020257 OF THE BOND SAFEGUARD INSURANCE COMPANY, WESTMONT, ILLINOIS, AND AUTHORIZING RECOVERY AGAINST SAID BOND FOR COMPLETION OF THE PERFORMANCE ASPECTS OF THE BOND...06-0309-003...ADOPTED

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to adopt **Resolution Number 144-10** resolving (1) to certify that Shephard Woods Development Company, LLC has defaulted on the terms and conditions set forth in the Performance Bond for Sidewalks secured by Bond Safeguard Insurance Company, 601 Oakmont Lane, Suite 400, Westmont, Illinois 60559 for Bond Number 5020257 in the amount of \$25,920.00 as Surety for Shephard Woods Subdivision located in Union Township, ratified by the Board of County Commissioners on the 15th day of March 2006, by failing to perform the completion, construction, repair and maintenance of sidewalks therefore and that the Board of County Commissioners is obligated to complete the performance thereof and (2) to determine that the amount necessary to complete and perform such construction and/or maintenance activities to cure the default by Shephard Woods Development Company, LLC is in the amount of \$25,920.00 and that the County Engineer is hereby authorized and directed to present to Shephard Woods Development Company, LLC and Bond Safeguard Insurance Company a certified copy of this resolution together with a demand for payment in the amount of \$25,920.00 pursuant to the terms and conditions of Bond Number 5020257 and (3) upon review and approval of the Office of the Prosecuting Attorney of Clermont County, Ohio, the County Engineer is hereby authorized to execute all necessary documents and/or bank drafts on behalf of Clermont County and/or the Clermont County Board of Commissioners to complete recovery and deposit of said sum to the benefit of the County for the construction and/or maintenance activities required for the completion thereof.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Yea.

IN RE: COUNTY ENGINEER...RESOLUTION NUMBER 145-10/RESOLUTION FINDING THAT GLACID INVESTMENTS 1, LTD FAILED TO COMPLETE THE TERMS OF THE PERFORMANCE AND MAINTENANCE BOND DATED THE 19TH DAY OF DECEMBER 2007, SECURED BY AN INSURANCE BOND NUMBER 1000752318 OF AMERICAN CONTRACTORS INDEMNITY COMPANY, LOS ANGELES, CALIFORNIA AND AUTHORIZING RECOVERY AGAINST SAID BOND FOR COMPLETION OF THE PERFORMANCE ASPECTS OF THE BOND ...07-1213-003...ADOPTED

Moved by Mr. Humphrey, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to adopt **Resolution Number 145-10** resolving (1) to certify that Glacid Investments 1, LTD has defaulted on the terms and conditions set forth in the Combined Performance and Maintenance Bond secured by American Contractors Indemnity Company, 9841 Airport Blvd, 9th Floor, Los Angeles, California 90045 for Bond Number 1000752318 in the amount of \$30,000.00 as Surety for Harrison Woods Court Subdivision located in Union Township, ratified by the Board of County Commissioners on 12/19/07, by failing to perform the completion, construction, repair and maintenance of Harrison Woods Court as shown on Record Plat Number 629-2557 therefore and that the Board of County Commissioners is obligated to complete the performance thereof and (2) to determine that the amount necessary to complete and perform such construction and/or maintenance activities to cure the default by Glacid Investments 1, LTD is in the amount of \$30,000.00 and that the County Engineer is hereby authorized and directed to present to Glacid Investments 1, LTD and American Contractors Indemnity Company a certified copy of this resolution together with a demand for payment in the amount of \$30,000.00 pursuant to the terms and conditions of Bond Number 1000752318 and (3) upon review and approval of the Office of the Prosecuting Attorney of Clermont County, Ohio, the County Engineer is hereby authorized to execute all necessary documents and/or bank drafts on behalf of Clermont County and/or the Clermont County Board of Commissioners to complete recovery and deposit of said sum to the benefit of the County for the construction and/or maintenance activities required for the completion thereof.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Humphrey, Aye; Mr. Croswell, Yes; Mr. Proud, Yea.

IN RE: COUNTY ENGINEER...RESOLUTION NUMBER 146-10/RESOLUTION FINDING THAT GLACID INVESTMENTS 1, LTD FAILED TO COMPLETE THE TERMS OF THE THREE YEAR PERFORMANCE BOND FOR SIDEWALKS DATED THE 19TH DAY OF DECEMBER 2007, SECURED BY AN INSURANCE BOND NUMBER 1000752319 OF THE AMERICAN CONTRACTORS INDEMNITY COMPANY, LOS ANGELES, CALIFORNIA, AND AUTHORIZING RECOVERY AGAINST SAID BOND FOR COMPLETION OF THE PERFORMANCE ASPECTS OF THE BOND...07-1213-003...ADOPTED

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to adopt **Resolution Number 146-10** resolving (1) to certify that Glacid Investments 1, LTD has defaulted on the terms and conditions set forth in the Performance Bond for Sidewalks secured by American Contractors Indemnity Company, 9841 Airport Blvd, 9th Floor, Los Angeles, California 90045 for Bond Number 1000752319 in the amount of \$16,240.00 as Surety for Harrison Woods Court Subdivision located in Union Township, ratified by the Board of County Commissioners on the 12/19/07, by failing to perform the completion, construction, repair and maintenance of sidewalks therefore and that the Board of County Commissioners is obligated to complete the performance thereof and (2) to determine that the amount necessary to complete and perform such construction and/or maintenance activities to cure the default by Glacid Investments 1, LTD is in the amount of \$16,240.00 and that the County Engineer is hereby authorized and directed to present to Glacid Investments 1, LTD and American Contractors Indemnity Company a certified copy of this resolution together with a demand for payment in the amount of \$16,240.00 pursuant to the terms and conditions of Bond Number 1000752319 and (3) upon review and approval of the Office of the Prosecuting Attorney of Clermont County, Ohio, the County Engineer is hereby authorized to execute all necessary documents and/or bank drafts on behalf of Clermont County and/or the Clermont County Board of Commissioners to complete recovery and deposit of said sum to the benefit of the County for the construction and/or maintenance activities required for the completion thereof.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Yea.

IN RE: COUNTY ENGINEER...RESOLUTION NUMBER 147-10/RESOLUTION AUTHORIZING ACQUISITION BY CONTRACT IN LIEU OF APPROPRIATION LITIGATION FOR REAL PROPERTY OWNED BY VICTOR E. JOHNSON IN CONCERT WITH PROJECT NUMBER BA-14-01 RELATIVE TO THE SR 125 AT AMELIA OLIVE BRANCH ROAD INTERSECTION IMPROVEMENT PROJECT LOCATED IN BATAVIA AND PIERCE TOWNSHIPS...09-0219-006...ADOPTED

Moved by Mr. Humphrey, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of Allan L. Edwards, Assistant Prosecuting Attorney, to adopt **Resolution Number 147-10** authorizing the purchase of real property owned by Victor E. Johnson, decedent, by and through Mary Ellen

O'Hara, Executrix of the Estate of Victor E. Johnson, for a portion of Parcel Number 28-28-07A-165. located on State Route 125 in Pierce Township, which is necessary for Project Number BA-14-01 relative to the SR 125 at Amelia Olive Branch Road Intersection Improvement Project located within Batavia and Pierce Townships; consenting to the preparation of an Agreed Entry for Dismissal relative to Appropriation Case Number 2009CVH0522 as authorized in Resolution Number 30-09 adopted by the Board of County Commissioners on 02/25/09; acknowledging the value of land at \$12,343.00 of which \$6,343.00 has been deposited with the Clermont County Common Pleas Clerk of Courts; authorizing the issuance of payment of the remaining balance of \$6,000.00 to Mary Ellen O'Hara, Executrix of the Estate of Victor E. Johnson, c/o Charles J. Tekulve, 785 Ohio Pike, Cincinnati, Ohio 45245; and authorizing execution of the Settlement Agreement by and between Mary Ellen O'Hara, Executrix of the Estate of Victor E. Johnson and the Board of Commissioners of Clermont County relative thereto, pursuant to and in compliance with the terms and conditions specified therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Humphrey, Aye; Mr. Croswell, Yes; Mr. Proud, Yea.

IN RE: COUNTY ENGINEER...REQUEST TO ADVERTISE FOR BIDS FOR PROJECT NUMBER RS-15-10 RELATIVE TO THE 2010 ROAD RESURFACING PROGRAM LOCATED IN VARIOUS TOWNSHIPS...10-0809-001...APPROVED

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to approve the request to advertise for bids for Project Number RS-15-10 relative to the 2010 Road Resurfacing Program located in various townships, pursuant to the specifications therefore, and to authorize the Clerk of the Board to place a Legal Notice in a newspaper of general circulation on **08/26/10**, with bids to be receive until **2:00 P.M. Local Time on Thursday, 09/09/10**, in the Office of the Board of County Commissioners, 101 East Main Street, Batavia, Ohio 45103-2960, where they will be publicly opened and read aloud shortly thereafter. This notice is also posted on Clermont County's internet site.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Yea.

IN RE: COUNTY ENGINEER...CHANGE ORDER NUMBER 1, FINAL, TO THE CONTRACT WITH BLUE CHIP PAVEMENT MAINTENANCE, INC. FOR PROJECT NUMBER BA-08-10 RELATIVE TO THE CLERMONT COUNTY AIRPORT RUNWAY REPAIRS AND RESURFACING PROJECT LOCATED IN BATAVIA TOWNSHIP...10-0402-001...EXECUTED

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to authorize Robert L. Proud, President of the Board of County Commissioners, or in his absence, any other member of the Board of County Commissioners, to execute Change Order Number 1, Final, to the Contract with Blue Chip Pavement Maintenance, Inc., 4320 Mt. Carmel Road, Cincinnati, Ohio 45244, previously ratified by the Board of County Commissioners on 07/01/10, for Project Number BA-08-10 relative to the Clermont County Airport Runway Repairs and Resurfacing Project located in Batavia Township, which represents an increase in the amount of \$1,470.83, for a total adjusted contract price to date of \$106,292.31

for additions, deletions and/or modifications thereto as defined therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Yea.

IN RE: COUNTY ENGINEER...ACCEPTANCE OF THE CONTRACT WITH BLUE CHIP PAVEMENT MAINTENANCE, INC. FOR PROJECT NUMBER BA-08-10 RELATIVE TO THE CLERMONT COUNTY AIRPORT RUNWAY REPAIRS AND RESURFACING PROJECT LOCATED IN BATAVIA TOWNSHIP AS COMPLETE AND APPROVAL OF PAYMENT NUMBER 1, FINAL, RELATIVE THERETO...10-0402-001...RATIFIED

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to accept the Contract by and between the County of Clermont, Ohio, and Blue Chip Pavement Maintenance, Inc., 4320 Mt. Carmel Road, Cincinnati, Ohio 45244 for Project Number BA-08-10 relative to the Clermont County Airport Runway Repairs and Resurfacing Project located in Batavia Township as Complete as of 8/6/2010 and to approve the request for Payment Number 1, Final, in the amount of \$106,292.31, and, subsequent thereto, to authorize the County Auditor to issue the referenced payment therefore.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Yea.

IN RE: BOARD OF COUNTY COMMISSIONERS...AUTHORIZATION TO EXECUTE AND FILE AN APPLICATION FOR FUNDING WITH THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR THE DEVELOPMENT OF A COMPREHENSIVE PLAN FOR CLERMONT COUNTY IN CONJUNCTION WITH THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT'S COMMUNITY CHALLENGE PLANNING GRANTS...10-0812-001...RATIFIED

Moved by Mr. Humphrey, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Scot Lahrmer, Assistant County Administrator, with the concurrence of David L. Spinney, County Administrator to authorize Scot Lahrmer to execute and file an application for funding, including all understandings and assurances relative thereto, with the United States Department of Housing and Urban Development, 451 7th Street S.W., Washington, DC 20410 for the development of a Comprehensive Plan for Clermont County, in the amount of \$160,000.00, with a local inkind match in the amount of \$40,000.00, for a total project amount of \$200,000.00, in conjunction with the United States Department of Housing and Urban Development's Community Challenge Planning Grants.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Humphrey, Aye; Mr. Croswell, Yes; Mr. Proud, Yea.

IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION TO CONFIRM THE CONTINUATION OF THE CLERMONT COUNTY

AUTOMATIC DATA PROCESSING BOARD AND TO DIRECT THE COUNTY ADMINISTRATION TO PROVIDE THE TECHNICAL ASSISTANCE NECESSARY FOR THE CLERMONT COUNTY AUTOMATIC DATA PROCESSING BOARD TO BE IN STATUTORY COMPLIANCE...10-0813-001...APPROVED

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of David L. Spinney, County Administrator, that the Board of County Commissioners resolve to continue the existence of the Clermont County Automatic Data Processing Board, first established by the Board of County Commissioners on 12/27/79, pursuant to and in compliance with Section 307.84 of the Ohio Revised Code, and further resolve to direct the County Administrator to communicate this determination to all members of the Clermont County Automatic Data Processing Board forthwith, subsequent to their request that the Board of County Commissioners resolve to disband the Clermont County Automatic Data Processing Board, and further resolve to direct the County Administration to provide the necessary technical assistance to the Clermont County Automatic Data Processing Board to aid the members in complying with their statutory obligations in and as it relates thereto.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Yea.

IN RE: REQUESTS FROM VARIOUS DEPARTMENTS TO JOIN PROFESSIONAL ORGANIZATIONS AND AUTHORIZATION FOR REIMBURSEMENT OF ROUTINE TRAVEL EXPENSES RELATIVE THERETO...APPROVED

Moved by Mr. Humphrey, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Requests from various departments to join professional organizations and to authorize payment of the annual dues in the amounts outlined below for membership therein, pursuant to Section 325.21 of the Ohio Revised Code and to authorize reimbursement of **routine travel expenses** associated therewith (*excluding expenses for overnight accommodations, meals for more than one day, registration fees, tuition, and/or transportation by common carrier*) pursuant to the policies and procedures of the Board and in compliance with the Annual Appropriations for Fiscal Year 2010 and any and all amendments subsequent thereto:

Elected Official or Department/Employee	Organization	Annual Dues	Term
County Engineer Patrick J. Manger Craig A. Risner Steve Case DC# 10-0115-001	Professional Land Surveyors of Ohio, Inc.	\$480.00 <i>Revised – Previously approved on 01/25/10 in the amount of \$360.00</i>	07/01/10 through 06/30/11

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Humphrey, Aye; Mr. Croswell, Yes; Mr. Proud, Yea.

IN RE: MAINTENANCE AGREEMENTS FOR VARIOUS DEPARTMENTS FOR THE PROVISION OF MAINTENANCE ON OFFICE EQUIPMENT...APPROVED

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Requests from various departments to approve Maintenance Agreements with various vendors for the provision of maintenance on the following equipment at the rates and the terms outlined below pursuant to the terms and conditions set forth therein and to authorize David L. Spinney, County Administrator, to execute the Maintenance Agreements and the Rider for Equipment Maintenance Agreements attached thereto:

Elected Official or Department	Vendor	Equipment/Model #/ Serial Number(s)	Rate	Term
Clermont County Water Resources Department DC# 10-0806-005	Millennium Business Systems 5143 Kennedy Avenue Cincinnati, Ohio 45213	Sharp AR-455N Copier S/N: 5504870X	\$0.0135 per copy	07/12/10 through 07/11/11

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Yea.

**IN RE: BOARD OF COUNTY COMMISSIONERS...FINANCIAL/BUDGETARY
 ACTIONS FOR FISCAL YEAR 2010...APPROVED**

Moved by Mr. Humphrey, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of the Office of Management and Budget, with the concurrence of David L. Spinney, County Administrator, to approve financial/budgetary actions pursuant to Ohio Revised Code Section 5705.40 as they relate to changes in the Annual Appropriation Resolution for Fiscal Year 2010 (Resolution Number 211-09) and/or interfund transactions as outlined in the following table(s) and to authorize Linda Fraley, County Auditor, to properly record same:

SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2010:

AMOUNT	FUND / ORGANIZATION	FUNCTION - DIVISION - ORG CODES	OBJECT CODE	OBJECT DESCRIPTION	PROJECT CODE AND DESCRIPTION (if applicable)
\$ 5,000.00	Chilo Lock/Dam Improvement Fund 7240	00-00-007240	530000	Purchased Services	
\$ 5,000.00	Chilo Lock/Dam Improvement Fund 7240	00-00-007240	610000	Maintenance & Repair	
\$ 5,000.00	Chilo Lock/Dam Improvement Fund 7240	00-00-007240	660000	Capital Outlay	

BUDGET TRANSFER OF FUNDS:

AMOUNT	FUND / ORGANIZATION	FROM	OBJECT DESCRIPTION	TO	ORG DESC (IF NEEDED) - OBJECT DESCRIPTION
\$ 800.00	General Fund 1000-01-01 Admin Bldg Mail Room	046301- 511200	Regular Salary	046301- 511800	Temporary Salary
\$ 4,700.00	General Fund 1000-01-04 Civil Prosecutor	372000- 511200	Regular Salary	371000- 511200	Prosecutor Administration - Regular Salary
\$ 11,000.00	General Fund 1000-01-04 Civil Prosecutor	372000- 511200	Regular Salary	373000- 511200	Common Pleas Criminal Prosecutor - Regular Salary
\$ 7,500.00	General Fund 1000-01-04 Civil Prosecutor	372000- 511200	Regular Salary	375000- 511200	Municipal Criminal Prosecutor - Regular Salary

\$ 5,700.00	General Fund 1000-01-04 Civil Prosecutor	372000-520000	Fringe Benefits	375000-520000	Municipal Criminal Prosecutor – Fringe Benefits
\$ 23,800.00	General Fund 1000-01-04 Juvenile/Adult Protection Prosecutor	374000-511200	Regular Salary	375000-511200	Municipal Criminal Prosecutor - Regular Salary
\$ 6,975.00	General Fund 1000-01-04 Juvenile/Adult Protection Prosecutor	374000-520000	Fringe Benefits	375000-520000	Municipal Criminal Prosecutor – Fringe Benefits
\$ 13,200.00	Motor Vehicle & Gas Fund 2601-03-09 Engineer Administration	511000-511200	Regular Salary	511000-513200	Retirement Pay Out
\$ 13,000.00	Motor Vehicle & Gas Fund 2601-03-09 Engineer Roads	514000-511200	Regular Salary	514000-513200	Retirement Pay Out

CASH ADVANCE OF FUNDS:

AMOUNT	FROM	TO
\$ 83,413.00	General Fund 1000-01-01-032329-702300	Airport Improvement Fund 4005-00-00-004005-482100

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Humphrey, Aye; Mr. Croswell, Yes; Mr. Proud, Yea.

**IN RE: TRAINING AND TRAVEL REQUESTS...REIMBURSEMENT OF
EXPENSES RELATIVE TO SAME...APPROVED**

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of David L. Spinney, County Administrator, to approve the following requests for reimbursement of expenses for training and travel pursuant to the policies and procedures of the Board and in compliance with the Annual Appropriations for Fiscal Year 2010 and any and all amendments subsequent thereto:

CLERMONT COUNTY COURT OF COMMON PLEAS

Casey Lane and Arrianna Sacks: Two (2) days – Columbus, Ohio – Supreme Court of Ohio Training entitled “Basic Mediation Training for Court Personnel” and “The Uniform Mediation Act (UMA): The Role of Professionals in Mediation” – Total expenses not to exceed \$817.70.

CLERMONT COUNTY COURT OF COMMON PLEAS/DOMESTIC RELATIONS DIVISION

Michael Finney: Four (4) days – Columbus, Ohio – 2010 Ohio Association of Magistrates Fall Conference – Total expenses not to exceed \$972.73.

CLERMONT COUNTY MUNICIPAL COURT

Robert M. Lamb: Three (3) days – Columbus, Ohio – 2010 Ohio Association of Magistrates Fall Conference – Total expenses not to exceed \$802.00.

PROSECUTING ATTORNEY

Carol Rowe: One (1) day – Fairfield, Ohio – Ohio State Bar Association Seminar entitled “Working with Difficult People: How to Communicate with Judges, Clients and Other Lawyers” – Total expenses not to exceed \$294.00.

COUNTY SHERIFF

Mike Robinson and Lori Saylor: Three (3) days – Lebanon, Ohio – Federal Services Certified Examiners Course relative to Computer Voice Stress Analyzer Recertification Training – Total expenses not to exceed \$500.00.

DEPARTMENT OF JOB AND FAMILY SERVICES

Jemina Ott, Sherry Paul, Rick Franckhauser, and Mark Salyers: One (1) day – Dayton, Ohio – Ohio Child Support Directors Association Workshop entitled “All About Income” – Total expenses not to exceed \$320.00.

OFFICE OF ECONOMIC DEVELOPMENT

Adele Evans: One (1) day – Bethel, Ohio – Ohio Valley Regional Development Commission Annual Full Commission Appreciation Banquet – Total expenses not to exceed \$25.00.

CLERMONT COUNTY WATER RESOURCES DEPARTMENT

Dustin Steger: Three (3) days – Columbus, Ohio – County Engineers Association of Ohio 2010 Ohio Geographical Information System Conference – Total expenses not to exceed \$756.00.

BOARD OF COUNTY COMMISSIONERS

Scot Lahrmer: One (1) day – Cincinnati, Ohio – Greater Cincinnati Local Government Management Association Monthly Meeting – Total expenses not to exceed \$18.00.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Yea.

IN RE: PERSONNEL ACTION FORMS...APPROVED

* THE OFFICIAL RECORD OF PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, RELATIVE TO PERSONNEL ACTIONS IS AVAILABLE FOR PUBLIC INSPECTION UPON REQUEST MONDAY THROUGH FRIDAY BETWEEN THE HOURS OF 8:00 A.M. TO 4:30 P.M. LOCAL TIME.

LET THE RECORD SHOW: A MOTION BY MR. HUMPHREY, SECONDED BY MR. CROSWELL, TO GO INTO EXECUTIVE SESSION AT 4:31 P.M. PURSUANT TO SECTION 121.22(G)(3) OF THE OHIO REVISED CODE REGARDING PENDING LITIGATION, CARRIED WITH ALL MEMBERS VOTING AFFIRMATIVELY THEREON.

LET THE RECORD SHOW: THE EXECUTIVE SESSION CONCLUDED AND REGULAR SESSION RESUMED AT 4:43 P.M. WITH NO ACTION TAKEN.

LET THE RECORD SHOW: That a motion by Mr. Humphrey, seconded by Mr. Croswell, to approve the minutes of Regular Session of **08/18/10** carried with all members present voting affirmatively thereon.

IN RE: ADJOURNMENT...APPROVED

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

That the Board of County Commissioners, noting no further business to come before the commission for legislative action, adjourned this Regular Session at 4:44 P.M. until the next regularly scheduled session to be held at a later date.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Yea.

COMMISSIONERS' JOURNAL #305 CLERMONT COUNTY REGULAR SESSION 08/18/10

**BOARD OF COUNTY COMMISSIONERS
CLERMONT COUNTY, OHIO**

**ROBERT L. PROUD, PRESIDENT
EDWIN H. HUMPHREY, VICE PRESIDENT
R. SCOTT CROSWELL III, MEMBER**

JUDITH KOCICA, CLERK OF THE BOARD

DATE APPROVED – 08/18/10